

**PLUMBERS' EXAMINING BOARD
MEETING MINUTES**

Meeting Date: June 12, 2013

Meeting Location: Androscoggin Room, State of Maine - Gardiner Annex, Northern Avenue,
Gardiner, Maine

Time Meeting Began: 9:00 a.m.

Roll Call of Officers:

The following members were present:

Michael Lowe, Chair
Lawrence Kent
William Longley, Jr.
Lawrence Dempsey

Staff Present:

Catherine Carroll, Administrator
Dana Tuttle, Senior Plumbing Inspector
Michelle Lovering, Board Clerk

AAG Present:

Christopher Mann

Call to Order and Welcome

Chairman Lowe called the Plumbers' Examining Board to order at 9:00 a.m. and welcomed all in attendance.

Old Business

Chairman Lowe inquired whether the bill to change the membership of the Plumbers' Examining Board had been signed into law. Catherine Carroll reported that this bill, which would replace the seat of a second Journeyman Plumber with a Master Plumber was voted "ought to pass".

Chairman Lowe inquired of Assistant Attorney General, Chris Mann, the prospects of having the Attorneys General Office investigate individuals practicing without a State of Maine license. AAG Chris Mann responded that he would consider all cases on an individual basis; and that he currently has several cases pending action by the Board.

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Board Meeting Minutes

A motion was made to accept the minutes of the February meeting as amended, to correct a typographical error under "Other Business" from "popes" to "pipes".

Motion:	Michael Lowe
Second:	William Longley
Accept:	Michael Lowe, William Longley, Lawrence Kent
Abstained:	Lawrence Dempsey

New Business

Adjudicatory Hearing - 2013-PLU-9158 – Richard Pecina

Hearing Officer, James McKenna, Esq. opened the hearing. Board members participating and voting: Michael Lowe, Chairperson; Lawrence Kent; William Longley, Jr; and Lawrence Dempsey. The Board was represented by Assistant Attorney General, Christopher Mann. The licensee was not present and was not represented by counsel.

The hearing was held for failure to comply with the Board's Decision and Order issued February 12, 2012.

Following proof of service, State's opening statement, taking of testimony, admission of exhibits, and closing argument, the evidentiary portion of the hearing concluded.

A motion was made to re-serve the Notice of Hearing for the August 28, 2013, meeting as Notice of Hearing dated May 9, 2013, was mailed to the incorrect address.

Motion:	William Longley
Second:	Michael Lowe
Vote:	Unanimous

Administrator's Report

Catherine Carroll stated that the testing service Prometric is scheduled to be in Maine in July. The purpose is to review the exam and make updates, accordingly, that affect all the trade boards being served by Prometric. Chairman Lowe has been invited to participate in these discussions on behalf of the Board. Any other Board member is welcome to participate. Catherine Carroll will advise when the date and place has been set for the review.

Catherine Carroll was asked by the Board to provide a sampling of CPE from other similar licensing boards within the Department. Ms. Carroll presented her report on her research of CPE within OPOR. There are currently 40 professions and occupations that are regulated; and 19 of the 40 professions and occupations require CPE. There is no common standard agency-wide for CPE requirements as these professions and occupations are very diverse. There are no CPE requirements for fuel technicians, which is a similar trade board to plumbers. Chairman Lowe inquired of Ms. Carroll whether there is a trend toward decreasing or increasing rulemaking relative to adopting CPE requirements. Chairman Lowe further inquired about the department's current renewal computer software and the costs associated with building CPE questions in the actual renewal applications. Gordon MacEwan from IAPMO stated that he will work the Board regarding the implementation a CPE program.

Senior Inspector's Report

Dana Tuttle reported that he did LPI training at the MBOIA meeting. He stated that the LPI's still need more training. He has been working on complaints related to unlicensed practice and also complaints relative to venting and backflow prevention. He has spoken with the community colleges regarding the current exam and problems with the testing charts used and there being no correct answers for some of the questions. He is having problems with Bathfitters applying for the appropriate permits for the jobs they are doing. There are issues with architects not designing plans to meet the current plumbing code.

Other Business

Both Michael Lowe and William Longley have sent in their applications for reappointment to the Governor's office.

Chairman Lowe stated that he approached Percy Brown regarding applying for appointment to the Board upon the change in the membership of the Board, which would make him eligible. Mr. Brown did express interest in the event that this change is final.

Adjournment

The meeting adjourned at 11:00 AM.

Respectfully submitted,

Michelle Lovering
Board Clerk